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Is It Simply a New Language or Is It a Learning Problem?

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Is It Simply a New Language or Is It a Learning Problem?

Abstract

English Language Learners (ELLs) have been over-identified for placement into special education classes for more than 20 years. Causes include a lack of precisely defined constructs for disabilities, funding methods used by states, failure to follow federal legislation, weak prereferral systems to special education in schools, a huge influx of non-English speaking students to the classroom, and a lack of training amongst teachers. Correctly identifying ELLs who also need special education is difficult, but teachers can safeguard against improper identification by taking into account the social, educational, cultural, and language aspects of students' special circumstances, i.e., the needs of the "whole child." By recognizing that ELLs exhibit similar learning difficulties to students with special needs, experience huge changes in culture and educational styles, and social isolation because of a lack of second language, educators can tailor their assessment techniques and classroom practice to help ELLs function better in the classroom. Schools should consider the emotional, intellectual, physical, and spiritual needs of the student by hiring bi-lingual personnel for assessment for special education, conducting professional development training for classroom teachers, not relying on a single assessment tool, assessing skills in both the native and second languages, and documenting a problem across settings (home and school), among others.

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Is it Simply a New Language or
Is it a Learning Problem?

by

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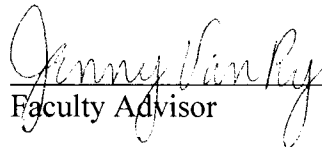
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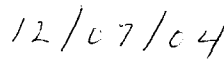


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Abstract

English Language Learners (ELLs) have been over-identified for placement into special education classes for more than 20 years. Causes include a lack of precisely defined constructs for disabilities, funding methods used by states, failure to follow federal legislation, weak pre-referral systems to special education in schools, a huge influx of non-English speaking students to the classroom, and a lack of training amongst teachers. Correctly identifying ELLs who also need special education is difficult, but teachers can safeguard against improper identification by taking into account the social, educational, cultural, and language aspects of students' special circumstances, i.e., the needs of the "whole child." By recognizing that ELLs exhibit similar learning difficulties to students with special needs, experience huge changes in culture and educational styles, and social isolation because of a lack of second language, educators can tailor their assessment techniques and classroom practice to help ELLs function better in the classroom. Schools should consider the emotional, intellectual, physical, and spiritual needs of the student by hiring bi-lingual personnel for assessment for special education, conducting professional development training for classroom teachers, not relying on a single assessment tool, assessing skills in both the native and second languages, and documenting a problem across settings (home and school), among others.

Is it Simply a New Language or Is it a Learning Problem?

Introduction

More than twenty years ago researcher Alba Ortiz (1983) found a huge disproportion of Hispanic students (more than 300% actual as compared to expected) labeled with learning disabilities in Texas. Why were there so many more children with reported learning disabilities than should be anticipated in the population size? At that time Ortiz asked a number of questions relating to the language and culture of Spanish speaking students and about the perceptions, prejudices, expectations, and biases of school personnel which she felt required further research. She suggested then that a lack of trained personnel was a major factor: a lack of professionals who could accurately assess Hispanic children, defend the assessment procedures they used, deliver special education services that reflected children's culture, and determine what was a normal struggle with a new language and what was a learning problem. Three years later Ortiz (1986) published a chart distinguishing the differences in student classroom behavior, noting that some behaviors of students with learning or behavior problems are identical to those of students learning a second language. A full 14 years later Ortiz (1997) was still calling for educators with expertise in how language and culture affect learning.

The problems encountered in distinguishing linguistic and cultural differences from learning disabilities and in identifying students who have learning disabilities occurring concomitantly with linguistic and cultural differences are, by and large, an artifact of the lack of training of general and special educators in multi-cultural education. Such knowledge is crucial in determining when student performance

in the native language or dialect is normal versus pathological, and when cultural characteristics are consistent with norms and expectations of the student's cultural group versus when they are deviant from the norm and thus symptomatic of a disability. (p. 11)

While Ortiz' early research results in Texas can not be generalized to all schools and states with Hispanic students, she points out the critical challenge that educators of Hispanic (and other minority children) face in the classroom: how to diagnose whether their students are simply in the throes of learning a new language, or whether they truly have a learning disability. The issue is key for the Christian educator because it directly affects his/her input into helping children fully develop God-given talents to become the adults God has called them to be. Even the most well-meaning Christian teacher or administrator can unintentionally injure a student if he/she doesn't have the necessary knowledge to accurately assess and help a student. Fletcher and Navarrete (2003) say the continued mis-diagnosis and inappropriate placement of students into special education puts at risk an entire generation of Hispanic students.

This paper will attempt to ascertain what researchers have found about why mis-diagnosis and misplacement happens to Hispanic students and describe the best ways to prevent the problem. It will attempt to investigate research on the major issues and questions confronting educators in the classroom for a view of the wider picture. My research questions are:

- (1) Why are so many language learning students "diagnosed" with a need that requires special education?
- (2) What are some indicators to help educators distinguish special needs from the normal language learning process?

(3) How should schools be addressing the needs of language learning students?

Terms used in this paper refer to both second language learning and special education.

ELL or English language learners refer to all students whose first language is not English. ELL services refer to the special methods and techniques for teaching students who are in the process of learning English as well as academic content. ESL refers to students learning English as a Second Language. ELL and ESL are used interchangeably. Bilingual education can take many different forms, but is defined as teaching students in both their first language as well as English.

Terms for special education include: learning disability as defined (cited in Heward, 2000) by the Individuals with Disabilities Act (IDEA) as:

a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, or spell, or to do mathematical calculations (p. 246).

Mental retardation is defined by the IDEA as “significantly sub-average general intellectual functioning resulting in or associated with deficits in adaptive behavior and manifested during the developmental period” (cited in Heward, 2000, p.202). Referral is defined as the formal testing and evaluation used to determine whether special education services are required. Pre-referral is the less formal process that often involves a group of educators who suggest specific strategies to be tried in the classroom before sending a student on for formal evaluation.

Labelling is referred to as the process of identifying and classifying students’ specific disabilities.

At-risk refers to students who are not identified as having a particular disability at present, but have a greater-than-normal chance of developing one. Serious emotional disturbances are

defined by the IDEA as a number of characteristics that continue over a long period of time and adversely affect educational performance. These characteristics include: an inability to learn that can't be explained by intellectual, sensory, or health problems; an inability to build or keep interpersonal relationships; inappropriate behavior or feelings under normal circumstances; pervasive mood of unhappiness or depression; and tendency to develop physical symptoms or fears connected to school problems (cited in Heward, 2000, p.291).

Literature Review

Introduction of Over-documentation of ELL students in Special Education

Documentation of the over-representation of minority students in special education extends back beyond the current generation of Hispanic students. Interestingly, the first observational study of 109 students in their California classrooms showed that neither ethnicity nor socio-economic status were reliable predictors for referral to special education. Low and Clement (1982) concluded that behavior of students in the classroom was a more important factor. But the sample size was small and subsequent studies in California and nationwide have shown that ethnicity is decidedly linked to referral of students for special education.

A 1994 study conducted by Gottlieb and Alter gathered data over a ten year period from urban school districts. The study showed that for children living in inner cities, most of them poor and members of racial minorities, the process of placing them in special education was not better than it was 25 years earlier. The difference, the researchers said, is that students in 1994 were being labeled with learning disabilities rather than being labeled mildly mentally retarded. They found that students referred for special education were largely mobile, many having attended at least one other school before referral, poor, and often immigrants (19% foreign born

and 44% from homes where, frequently, Spanish rather than English was the first language).

More recently, however, in a search for answers Oswald, Coutinho, and Best (2002) quantitatively compared data from the Office of Civil Rights to that of the U.S. Department of Education for the school year 1994-95. Considering factors such as student-teacher ratios, percentage of English language learners in schools, at-risk students, non-white students, as well as the school's per pupil monetary expenditures, family income and housing costs, the researchers asked whether these factors were significantly associated with the likelihood of being identified as being a student with learning disabilities, severe emotional disorders, or mild retardation. Oswald, et al. found that without taking into account the effects of social, demographic and school related factors, gender and ethnicity were significantly associated with the risk of being identified for special education. While Hispanic females were half as likely as white females to be identified for special education, Hispanic males were 2.3 times more likely than white females. The researchers also concluded that socio-demographic conditions of a school district were strong indicators associated with identification for special education. As poverty increased, so did incidences of identification for mental retardation and severe emotional disturbance. They found clear patterns of over-representation of minority students varying from state to state by category of disability and race.

Another smaller study, however, produced different results. Reschly (2003) conducted a meta-analysis or synthesis of ten studies representing 42 of the nation's 16,000 school districts to compare schools' rates of referral to population rates of minority students. Reschly's results showed that while African Americans were referred more frequently than Caucasians, Hispanics and Caucasian students were referred at about the same rate. But the small sample size increases

the likelihood for error; most of the schools were located in suburban or urban areas and all but three had more than 10,000 students.

Similar results were confirmed in California schools until one important variable was included. A quantitative review by Artiles, Rueda, Salazar, and Higareda (2002) found that Latinos were not over-represented in special education until the issue of language was added. Using an assessment of odds ratios (a calculation of the odds of a student of a certain group, i.e. Hispanic, to be identified in a certain special education category, e.g. learning disabilities. This was done by taking the total number of students in a category and dividing it by the total number of Hispanic students not in the category. This number is then divided by the odds of students of all other groups being identified for the same category.) the researchers found an over-representation of English language learners (ELLs) in special education by 5th grade, which became even more pronounced at the secondary level as children progressed through the education system. While the proportion of ELLs in special education was normal until grade four, at grade five students begin to be over-represented and from grade six on, students were over-represented from 19% to 26% (See Appendix A). The researchers reported disproportionate percentages more than plus or minus 10% of the population which they expected to be referred according to the school age population. For example, in the 6th grade, 18% of the students were ELLs. Based on this ELL population, plus or minus 10% would result in 16.2-19.8% expected for referral to special education. But researchers (2002) found 46% of ELLs were in special education, an over-representation of 26.2%.

Artiles et al. (2002) used data from the 1998-99 school year, the first year in California that Proposition 227, which greatly restricted native language programs in the public schools,

went into effect. Those students who received the least amount of support in their native language had a greater chance of being placed in more restrictive educational settings than those students receiving more native language support. While the California results cannot be generalized to the overall ELL population, Artiles et al. (2002) say the work affirms a connection between the likelihood of being identified for special education and language learning.

Why So Many ELL Students are “Diagnosed” with a Learning Problem

The question of why so many second language students are referred for special education is a natural one. A look at the problem reveals a complex and detailed portrait, consisting of a variety of factors. Let’s begin at the federal level where laws are enacted for schools to follow. When Parrish (2002) investigated the financing of special education across the country, he found a mixed picture of both over- and under-representation of minority students in special education. Using very large data bases from the U.S. Bureau of the Census’ Survey of Local Government Finances as well as the U.S. Department of Education’s National Center for Education Statistics (NCES) and a Washington D.C. based research firm, Parrish was able to combine and compare data.

Special education funding is generally financed through federal (about 9%), and varying amounts of state, and local sources. Parrish (2002) found that states tended to finance special education using three basic approaches: (1) unlinked funding, in which the number of students identified for special educational is not linked to funding; (2) service linked funding, in which the amount of money a school receives is linked directly to the number of students identified (but not to the kind of disability); and (3) service and category linked funding, in which funding is tied directly to the number and kind (category) of disabilities and placements made. Parrish (2002)

found that states that connected funding to the kind or category of disability were more likely to either over-represent or under-represent minority students. Those states that funded more money for more severe disabilities, including South Carolina, Delaware, New Jersey, Florida, Indiana, and Ohio, tended to over-identify minority students. Although the rationale would suggest that more money should flow to the more severe categories of disability, Parrish found this was not the case. He raises a serious question about the assumption of equity in special education by differentiating categories of disability.

In 1975 the federal government passed the Individuals with Disabilities Act (IDEA), a law mandating free and appropriate education for all children with disabilities from age six to 21. The law protects parents' and children's rights in the decision making process and requires a special and specific educational plan to be developed for each child. It also requires schools to educate children in the least restrictive environment. The law prevents schools from placing ELL students inappropriately in special education by a so-called exclusionary clause. Educators may not label students as having a disability if they "have learning problems which are primarily the result of...environmental, cultural, or economic disadvantage" (p. 33). Parrish (2002) says his findings indicate a process of subjectively and inconsistently identifying students despite this clause. In effect, the exclusionary clause states that a student does not have a learning disability if he/she has gaps in his/her education, has a difficult home environment, speaks a different language, or is poor.

To determine how much schools comply with the exclusionary clause Ochoa, Rivera, and Powell (1997) conducted a survey of school psychologists which attempted to identify the factors that they use to comply with the clause. The "disheartening" results showed that "the majority of

school psychologists fail to recognize the significance of language in the educational status of Limited English Proficient (LEP) and bilingual students”(p. 165). While the respondent sample size of the survey (859) was limited, those participating reflected a characteristic sample of the National Association of School Psychologists in the U.S. Psychologists entirely overlooked important family and home factors including the educational level of the parents and literacy level in the home, as well as crucial educational history considerations, such as whether the student experienced similar problems in his/her native country and the length of time spent in U.S. schools. But the most important gap researchers found was the lack of understanding about the influence of language on learning.

Only a few psychologists took into account a student’s (1) home language, (2) proficiency in both English and native language (3) type of instruction, i.e., either bilingual or English as a Second Language (ESL) (4) number of years in bilingual or ESL classrooms, or (5) number of years of English instruction. And not even one psychologist in the survey examined several other important factors relating to language including: recommendations and information from committees that exit students from bilingual programs, the exit criteria used, the type of bilingual program (early or late exit before transitioning into mainstream English classrooms), or a comparison between standard and ESL curriculums that could amount to a lack of educational opportunity for ESL students.

The research of Connor and Boskin (2001) exemplify the problems Ochoa, et al. (1997) point out. Connor and Boskin say Census Bureau figures show that many ESL students are in schools in which 20% or more of the population receive free or reduced school lunches. The combination of poverty and language create a “troubling set of circumstances for bilingual

children” (p. 23). Their small, but representative research sampling of kindergarten children receiving special education services in three Massachusetts urban schools took a qualitative approach. The schools were chosen because they shared similar characteristics: a combination of economic problems and newly arrived immigrants, as well as large populations of bilingual and special education students. Eleven kindergarten children receiving special education services were allowed to speak on any topic they wished; these oral samples were then transcribed and reviewed by a total of six educators who taught kindergarten. Three were special education teachers, one who taught bilingual students, and three speech and language pathologists.

Results showed that from the start school administrations failed to determine what language was spoken at home. Secondly, school psychologists assessed none of the children in a language other than English. Thirdly, the instruments they employed were misused because the tests were meant to give only a broad developmental range of a student’s language abilities rather than be used as an placement tool in special education. Nor were the instruments norm-referenced with or for bilingual students. Teachers put an emphasis on teaching in English only and de-emphasized the language spoken at home. Their review of the transcribed samples showed both subjectivity and a lack of knowledge about second language acquisition. Connor and Boskin concluded that the assessment and placement results were highly suspect because of the misuse of instruments and the children’s young age.

Another problem highlighted by Rodriguez and Carrasquillo (1997) is a weak pre-referral system in schools. The researchers investigated the reasons why students were referred to special education, the history of students’ school, language and academic characteristics, as well as the placement process of students. Their case study in New York City of 46 Hispanic students

whose dominant language was Spanish found that schools tried a minimum of interventions before students were referred; most students were classified as learning disabled and a third were labeled speech impaired. More than 40% of the students' records either did not mention that interventions were made or indicated that none had been tried.

Rodriguez and Carrasquillo (1997) found the most common reason students were referred was because of academic deficits in the content areas (48%). Reading difficulties (15%) and other language problems (13%) were also cited as reasons. Ten percent were referred because of a combination of academic and behavioral problems. About a quarter of the students were foreign and over 60% had been in the U.S. less than three years. About a third were in school only a year before referral to special education. The researchers say a pre-referral process with at least one bilingual person (such as the school psychologist) is needed. They also point out the lack of implementation of the IDEA exclusionary rule and recommend a survey of students' home language skills, curriculum based assessments, or check-lists be used as assessment tools. The researchers concluded that schools need to spend more time and effort at the first stage of students' schooling with the use of a strong pre-referral system.

Results like this seem to indicate that although the IDEA law's exclusionary clause is clear, a lack of understanding and information on the part of school administrators and teachers assessing ESL students is contributing to the problem of over- and under-representation. Some researchers, however, find additional problems with the IDEA. While the exclusion clause may be definitive, Cummins (1984) says the law contains blurred definitions of disabilities that cause confusion for educators trying to determine whether students are learning disabled. Cummins blames research studies that the law is based on which lack satisfactory definitions of constructs

for learning disabilities. Without valid constructs, it is doubtful whether teachers can distinguish between learning disabled and non-disabled students.

Therefore, the law may not be having its intended effect. Trueba (1987) says because the definition of learning disability has not been clearly defined, any type of school learning problem is now called a 'learning disability.' The category has become a sort of catch-all for every kind of learning difficulty. Rather than attributing the problem to funding methods as Parrish does, some researchers say it is this lack of clarity that has produced a wide variance of placement of minorities in special education in school districts around the country. Klinger and Artiles (2003) say those disability categories which are more subjective, i.e., those that allow educators and schools to make "judgment calls," such as learning disabilities, mental retardation, and emotional disturbance, have a much higher incidence of student placement in special education. However, non-judgmental or objective categories with much more clearly defined constructs, such as visual or auditory impairment, result in placements that are not over-represented by Hispanics or other minorities in the population.

Podemski, Marsh, Smith and Price (1995) say this lack of precision, vague criteria, and subjective interpretations by educators and psychologists may produce an explosion of learning disabilities. Podemski et al. (1995) say there is a greater potential for even larger numbers of students to be classified as learning disabled as more minority children from lower socioeconomic families enter U.S. school systems. Their prediction is based on past increases in percentages of minority students, which also brought about increases in the percentages of children labeled disabled.

This issue of demographics is key to the problem of under- or over-diagnosis of

Hispanics in special education. Zehr (2004) reports that Spanish speaking students constitute the largest non-English speaking group in the U.S. today. The U.S. Census Bureau indicates that the number of Spanish speakers increased 62% between 1990 and 2000, from 17.3 million to 28.1 million people. Fueled by immigration, primarily from Mexico, this decade may witness the largest immigration boom in U.S. history if current trends continue.

The National Center for Education Statistics (NCES) say in its report on the Status and Trends in the Education of Hispanics that they will become the largest minority group in the country by next year, 2005. The impact on schools is evident; between 1972 and 2000 the number of Hispanics enrolled in public schools grades K-12 rose from 21.5% to 34%. Zehr (2004) confirms that between 1992 and 2002 the overall number of students learning English nearly doubled and the number of teachers with ELL students nearly tripled. Two years ago more than 40% of American teachers had at least one student whose English was limited. Among those students learning English as a new language, 76.9%, or nearly three million, are Spanish speakers. NCES statistics also show that more than a quarter of all Hispanic students speak mostly Spanish at home.

Zehr (2004) says the huge increase in the numbers of Spanish-speaking students (plus nine other common languages and a multitude of not so common native tongues) has overwhelmed teachers in the last decade. Fletcher & Navarette (2003) say rural schools in particular are being challenged by the change in demographics. A continuing increase of both legal and illegal immigrants is changing both the community and the schools in rural areas. These schools especially have difficulty recruiting, hiring and keeping qualified teachers. An NCES report, Overview of Public Elementary and Secondary School Districts: School Year

2001-2002, shows that nearly 21% of the nation's minority students live in rural areas or small towns. In Iowa, that's five percent of the nearly 35% of the state's minority students. And their educational prognosis is not good; the dropout rate for Hispanic students in 2000 was 28%.

The coming of so many different cultures to the classroom has a social face as well as an academic one. Surely another contributing factor to the problem of over-representation is the way that some educators view foreign languages and those who speak it. Language is a critical means of communication between people, from teacher to student and student to student. Those who cannot communicate in the language of the educator and majority of students in the classroom are often seen as being deficient. Rather than being viewed as a complete and functioning individual of another culture, this deficit is viewed as being intrinsic to the person. For Christian educators, though, language should be viewed as a gift of God. Van Brummelen (1994) writes of the profound metaphor Scripture uses for the Lord Jesus. The disciple John describes Christ as the Word through whom all things are made (John 1:1-3). God communicates Himself and His love through Christ, the Word made flesh. Hence, Van Brummelen says, "God's gift of language also comes to us through God's love in Jesus Christ" (p. 160).

All languages are God's gift, not just English. They are all part of the beautiful diversity of His creation. Smith and Carvill (2000) support an alternative view of the diversity of language on earth. Rather than language diversity being a lamentable result of God's intervention at the Tower of Babel, something to be endured until Christ's second coming when all will be restored and unified, Smith and Carvill suggest that diversity of language and culture is a natural result of God's command in Genesis to fill the earth. "Spreading, creativity, and diversity - all are

rooted in creation *prior to the fall*” (p. 6). If diversity of language and culture is part of God’s plan rather than a result of man’s fall into sin, how differently educators should view the non-English speaking child. He/She is not to be seen as someone with a deficit, but as someone who helps fulfill God’s intent for diversity on the earth, a person who should be welcomed and received with hospitality.

For the Israelites hospitality was a command because as God frequently reminded them, “...you are to love those who are strangers, for you yourselves were strangers in Egypt” (Deuteronomy 10:19 New International Version). Smith and Carvill (2000) say cultural competence, the ability to understand and relate cross-culturally, begins with an attitude of hospitality and acceptance. The fall of man into sin does not mean that diversity is good in and of itself. No culture can claim to be wholly good or have the last word on godliness. But as Christians, teachers are to open their arms and extend love to their ELL students, to receive them as Christ has received His people. Educators are to listen and learn from their students as well as teach them to navigate the pitfalls of a new culture, language, and school environment. They are to remember the redeemed diversity of heaven which will glorify God as glimpsed in Revelations 7:9-10 (New International Version).

After this I looked and there before me was a great multitude that no one could count, from every nation, tribe, people and language, standing before the throne and in front of the Lamb. They were wearing white robes and were holding palm branches in their hands. And they cried out with a loud voice: ‘Salvation belongs to our God, who sits on the throne, and to the Lamb.

The Indicators to Help Educators Distinguish Special Needs from Normal Language Learning

If educators are to be hospitable toward their second language learners, one thing they need to realize is that they are dealing with more than just language teaching. They need to understand what language learning looks like in the classroom. Ortiz (1986) and Homlar Fradd and Larrinaga McGee (1994) both have recognized that the behaviors of students with disabilities is similar to students learning a second language (See Appendix B). Both take a whole-child approach, recognizing that great changes in environment and language are reflected not just academically, but in the child's whole life and being. Christian educators know that God created individuals as whole people - physical, intellectual, emotional, and spiritual beings. Educators who fail to realize that there is a good mind, a healthy body, a feeling heart, and a spirit in search of God behind the language they may not understand do their students a huge injustice. They fail to see that God created in His image people of all languages and cultures.

For the student in the classroom an inability to communicate isolates him/her as a person; God created human beings to have relationships with Him and with others. When trying to learn a new language, both the isolation and the unknown expectations of a new school environment throw students off their stride. They are incommunicado; they cannot have relationships with others. Their attempt to understand the new language around them is both exhausting and frustrating. The emotional, social, physical, spiritual, as well as academic effects can be profound and should not be underestimated.

Ortiz (1986) says socially students may require a lot of attention and be unable to handle criticism. They may be unable to stay on task and be easily distracted. They may appear confused and disorganized. They may be overly dependent or passively uncooperative, lacking in

self-confidence, shy or fearful. In terms of language, they may not comprehend what they read and hear or remember much of it later. They may speak infrequently, in single words and phrases, using gestures to make themselves understood. They may confuse similar sounding words, use poor grammar, limited vocabulary, and poor pronunciation.

The extreme change in educational environment and the unknowns associated with it are also important. Heward (2000) says there may be three problem areas in the classroom: incongruence between teachers and culturally diverse students, inaccurate assessment and referral, and ineffective curriculum and instruction. Collier and Hoover (2001) say acculturation to the new country, to a new culture, and to a new school takes time. There is also a need to help educators understand the behavior of culturally and linguistically diverse students. They note that students also go through a “silent stage” in which they spend more time listening and observing than interacting with language. This can be interpreted as withdrawal, an emotional problem, rather than a stage of acquiring a second language.

To help educators Abrams, Ferguson, and Laud (2001) developed a student profile format to gather information on a child’s breadth of experiences. Rather than focusing primarily on the student, their profile looks at alternative explanations in the child’s experience (other than learning disabilities) to explain why he or she is experiencing difficulty in school. The researchers’ profile suggests six questions teachers should ask themselves about the learning environment. The first question is about standardized testing results. While inadequate as a single measure, Abrams et al. found that formal testing in a student’s native language will show whether the problem exists in English as well, a sign that there likely is a learning problem. Formal testing can also reveal strengths in abstract reasoning and other skills that teachers may

miss and help them to adapt their teaching styles to emphasize a student's strengths. The problem is that many times teachers are trying to distinguish between the two problems before any request for formal testing is done.

The second question deals with the student's developmental history. This question considers whether the child experienced reading, writing, or oral problems in his/her native language. Abrams et al. say sometimes problems surface only when a child is learning another language, particularly if the language, like English, is less rule-governed than his/her native tongue.

A third question asks about psychological issues that may be impeding a student's progress. Some students show the classic signs for a learning disability: disorganization, careless work, and difficulties with decoding language. But a family history of rupture, war, abandonment, and other traumas can cause the same problems. Sometimes counseling is called for rather than special education or different teaching techniques.

The fourth question in the profile asks about a student's educational experiences. Teaching and learning styles vary hugely from country to country. Teachers in the U.S. need to adapt their styles to accommodate their students. A classroom atmosphere in Mexico or other Hispanic countries would be more cooperative in nature than the individualistic approach of the U.S.

A fifth question seeks understanding of the student's cultural experiences. Some students reject learning English (because they see it as a rejection of their own culture and language) and need their own language and cultures to be affirmed within the classroom. If family members are critical of the new culture or school the student's adaptation to it can be

much more difficult. Validation of a student's own culture can help him/her to be more positive about the new culture and language.

The last question in the profile asks whether the student exhibits signs of a learning disability. Abrams et al. point out that if a child has a learning disability, he/she may exhibit language-based signals such as dysfluent or disorganized speech or writing. The student may also show nonverbal characteristics such as problems with an ability to focus, a lag in processing information, memory problems, abstract nonverbal reasoning, and have poor work and study habits across subjects. Other signals may include visual or auditory processing problems, such as confusing letter order (directionality), phonemic or phonological difficulties, and problems with the speed of discerning subtle visual differences. While these are also signs of language learning, there is a difference. If there is no learning disability, the problems are extrinsic to the student and will not persist; the student simply needs more time to develop proficiency in language. If, however, the teacher finds that similar problems exist in the native language and the problems in English continue to exist over an extended period of time, it is probable that a learning disability exists.

Litt (2001) also takes a whole child approach, saying many aspects of the child's life need to be evaluated, including length of time in the U.S., emotional well-being, stage of acculturation, educational history, family history, health status, a child's playmates, and the child's care-givers before and after school. Litt says all four skill areas need to be assessed: listening, speaking, reading, and writing and concurs that standardized language assessment should be given in both the native language and English. A student may be more proficient in some aspects of his/her native language and other aspects of English; therefore, the teacher

should determine a student's strengths in both languages as well as a student's preferred learning style. Litt says teachers also need to consider auditory processing and memory, and visual deficits when trying to determine whether a learning problem exists.

Both Heward and Litt recommend a strong pre-referral process before any formal referral is made. Litt says teachers must first identify the problems a student is experiencing and their source. Teachers should then meet with parents to help develop a plan of action for the student with a follow-up meeting later to talk about the effectiveness of the interventions. If this plan is not effective, she says the traditional assessment model is not useful for the ELL student and should come instead from portfolio assessment, the ELL teacher, the classroom teacher and the family. She poses a different series of questions to help educators determine whether an ELL student has a learning disability.

The first question involves the amount of time the problem has persisted. If the problem is language, it will disappear over time. If it is a learning disability, it will not improve. Litt's second question asks if the problem has resisted normal classroom instruction. If the child has received direct instruction in problem areas without improvement, it is probably a learning disability. The researcher's third question is whether the problem interferes with the student's academic progress. Is it keeping him/her from making progress? A fourth question is whether the student shows a clear pattern of strengths or weaknesses. Perhaps the child has good oral skills, but poor writing. The last question takes up the student's pattern of success. Is it regular or irregular? If the child "gets it" one day, but not the next, the problem is likely a learning disability. Litt says if the answer is "yes" to all or at least the first four questions, the student likely has a learning disability. She says if the problem exists in both languages, this is

another sign of a learning problem rather than a language problem.

Cummins (1984) offers the following advice to teachers. (1) Find out as much as possible about the student's background including culture, education, and language and interpret a child's work sympathetically in light of this information. (2) Examine how a student behaves outside school - at home, in the community, and with his/ her peer group. If the student is using skills to cope intelligently with the non-academic world, he/she may have motivational problems rather than learning problems. (3) Never regard an IQ test as meaningful for language minority students because it has not been norm-referenced with or for them.

Appendix C is an outline to help educators through the assessment process. Included are the physical, intellectual, emotional, and spiritual factors teachers should remember as they try to work out whether a student has a learning disability.

How Schools Should Be Addressing the Needs of Language Learning Students

In order to properly assess a student, schools need to employ a number of formal as well as informal safeguards for language learning students. Informal protection has to do with learning about the student's culture and language. Gaining an understanding of some of the differences in culture and educational expectations between Anglos and Hispanics is a good place for both educators and administrators to start if they want to address the needs of their Hispanic ELL students. While each child is unique and Hispanics come from many different countries, they do share some common cultural traits. Griggs & Dunn (1996) say Hispanics have a deep commitment to the family, to honor it and care for its members, with a belief that individual behavior reflects not just on the individual, but on the whole family. Traditional Hispanic families demonstrate a strong identity with their families, their culture, and their

community.

Espinosa (1995) says Hispanic families socialize their children in different ways than Anglo families. Hispanics do not compete; they cooperate, valuing the uniqueness of the person over his/her accomplishments. The well-being of the whole community is more important than individual goals. Griggs and Dunn (1996) say this can cause Hispanic students discomfort in the more individualistic, competitive U.S. classroom. For educators this means that cooperative learning techniques are crucial. Hispanic students will feel much more comfortable in a group setting or using more traditional forms of teaching, such as drills or oral repetitions. Pajewski and Enriquez (1996) also report that the group takes precedence over the individual.

When Hispanic students work in a group, not all are expected to do their equal share. A group member who does not happen to be working will not be offensive, while in an Anglo group of students, each is expected to do his/her share (Pajewski and Enriquez, 1996).

Another important difference is the way Hispanics view schools and educators. Teachers and administrators are seen as absolute authority figures in the school and community rather than as facilitators to student learning. Espinosa (1995) says many Latin American parents consider it rude to encroach on this authority. Neither do they expect to be called upon to involve themselves in what happens at school with a child's education. Espinosa emphasizes though, that schools should endeavor to work with Hispanic families from the beginning of a child's educational career to ensure success in the end. For Hispanic families the ideal school graduate is not one that has excelled academically, but one who is a well-rounded citizen of the community. Espinosa says "A child who is well educated is one who has learned moral and

ethical behavior” (Espinosa, 1995). The Spanish word “educado” or “educated” in English actually means respectful, well-mannered and polite.

Communication styles vary greatly as well. Pajewski and Enriquez (1996) say Hispanic communication styles are more formal than Anglos’. They say the people as well as the Spanish language tend to be very polite between adults, which may come across to the Anglo as being subservient. Espinosa (1995) says with their children parents use a “directive style” with little collaborative conversation. When both Anglo and Hispanic children begin school she says this leads to a lower level of language development for Hispanics as compared to their middle class Anglo peers. Formal assessment instruments will reveal the differences even more obviously.

Hispanics also have a different concept of time, focusing on the present rather than the future. Children may need to be eased into a schedule and deal with short-term rather than long-term goals. Pajewski and Enriquez (1996) say educators who use many short, timed activities can cause the Hispanic student a good deal of stress.

Other informal safeguards include some knowledge of the student’s language. ELL teachers should also know what specific grammatical, phonemic, and phonological differences in Spanish may create problems for students when learning English. Butt and Benjamin (1995) say in Spanish, the subject comes after the verb as often as it comes first in a sentence. Spanish speakers can even omit the subject altogether in some sentences. This repositioning of the subject changes the emphasis in a sentence. This can cause problems because English speakers use the subject plus verb construction and rarely omit the subject.

Nouns in Spanish have both gender and number, so there are four articles that are used with nouns (masculine, feminine, singular and plural). Adjectives follow nouns rather than

being in front of them, as in English. There are 12 forms of possessive adjectives depending on the noun possessed as well as the person possessing it. Spanish also has a formal form for “you” depending on formal and informal situations. Stress in Spanish is accomplished by putting the stressed element as close as grammatically possible to the end of the sentence, whereas in English, words are stressed vocally.

Another difficult problem for Spanish speakers are phonemic differences. Avery and Ehrlich (1998) point out the differences which Spanish speakers are sure to stumble over when they first encounter English. In Spanish the /v/ sound doesn't exist. Rather, Spanish speakers pronounce it as either a /b/ or a bilabial fricative which doesn't exist in English, but sounds to the English ear like a /w/. The sounds /p/, /t/ and /k/ at the beginning of words may not be aspirated and so may sound like /b/, /d/ and /g/. Students may also have problems distinguishing the /tʃ/ and /j/ sounds. Spanish speakers will also substitute /dʒ/ for /y/. In Spanish /z/ is a positional variant of /s/ and occurs only before voiced consonants. So “amazing” may sound like “amasing.” Avery and Ehrlich say Spanish speakers may also have problems with the English /r/, substituting their own trilled /r/. Consonant clusters at both the beginnings and ends of words may cause problems as well. /s/ plus another consonant at the beginning will be hard for students to pronounce. When a cluster occurs at the end, the final consonant may be dropped. So “hold” sounds like “hole.” Distinguishing /d/, /θ/ and /ð/ sounds are also difficult. Students may have trouble with vowel sounds that don't exist in Spanish as well.

Phonological differences between Spanish and English exist as well, so when Spanish speakers read letters in English, they'll give them the Spanish sounds. For example, a Spanish “g” sounds like an /h/ in English and a Spanish “h” is silent. An English “j” sounds like an /h/ in

Spanish. When a “c” occurs in front of “ei” in English, a Spanish speaker will read it like the /θ/ in “thin.” In addition, the English “i” will be read as an /iy/ sound. A Spanish speaker will read an “a” as /a/ and an “e” as /ε/.

Additionally, teachers require a sound knowledge of the stages of language learning. Krashen and Terrell (1983) developed The Natural Approach, a method to language learning emphasizing four stages of language acquisition. In the first stage, pre-production, students are generally silent except for simple “yes” or “no” answers. They may also use gestures and actions to communicate. This is sometimes called the “silent stage.” During the second stage, early production, students begin using one or two words or short phrases. Receptive vocabulary is expanded and students may produce vocabulary previously acquired. A student in the third stage, speech emergence, can speak in longer phrases or complete sentences. Lessons should continue to expand student’s receptive vocabulary and activities to develop higher levels of language use should be developed. In the fourth stage of language acquisition, intermediate fluency, a student can engage in conversation and produce connected narrative. Students continue to work on receptive vocabulary and activities should be designed to develop higher levels of language use in content areas. Reading and writing activities are incorporated.

Another key ingredient to language learning is “comprehensible input,” a phrase coined by Krashen. He says unless language is introduced and used in a meaningful context as a message students can understand, they will not acquire language. This puts the burden on teachers’ shoulders to teach in such a way that students can grasp the meaning from a rich and varied context. Teachers can use a variety of visuals (pictures, props, realia, webs, video, graphic organizers), hands-on demonstrations, games that teach, gestures using the face, hands

and body, role play, and total physical response activities to create context and increase comprehensibility. Teachers should focus on *showing* the meaning of words, creating the big picture of what is to be learned, moving from concrete examples to more abstract thought, and from prior knowledge to new knowledge.

At a more formal level, schools can ensure that teachers have such knowledge by hiring educators who are well trained and qualified and by providing existing faculty with professional development training. Schools also need to be aware of dangers in the pre-referral and assessment process, as has already been noted by Cummins (1984), (Parrish 2002), and others. Ortiz (1983) has noted that educators need to be able to defend their assessment practices. In order to be able to do this educators need to know the problems researchers have found that are particularly associated with the assessment of bilingual students. The first is the definition of a learning disability as determined by the IDEA and the mandated standardized testing to diagnose it. Federal law (as cited by Heward, 2000) states that a learning disability exists if a student has “a severe discrepancy between achievement and intellectual ability” (p.247). Under this legislation schools are required to conduct an IQ test as part of the process for determining whether a learning disability exists. However, this fails to take into account that verbal IQ tests require an advanced knowledge of English, which ELL students may not have acquired, as well as an understanding of the testing process. Scarcella (1990) says using IQ testing before a student has had the chance to acquire age appropriate skills can cause educators to seriously underestimate a student’s academic potential. She suggests that students who have been in the U.S. for less than two years should be tested only in their native languages.

Gunderson and Siegel (2001) concur saying even language-free or non-verbal IQ tests

measure skills that are acquired through the use of language. The researchers argue that using such an instrument for second language learners denies the connection between language and culture. The content of IQ tests is culturally-based and therefore, culturally biased toward the English speakers' culture and experiences. Simply translating an IQ test into the language of the student will not remove the cultural biases. Gunderson and Siegel (2001) suggest that teachers use IQ tests only to confirm their beliefs based on other evidence of achievement difficulties rather than using it to diagnose a learning disability.

Homlar Fradd and Larrinaga McGee (1994) advocate the use of standardized testing, but say it should not be the sole source of information about a student's ability. They say an analysis of a student's opportunities to learn, both past and present, as well as his/her life experiences should be included in any determination. Such additional information may make a student seem to be more or less socially competent as they integrate into U.S. schools.

MacMillan, Gresham, and Bocian (1998) studied 150 children who had been referred for special education by their classroom teachers in five California school districts for the school years 1992-93 and 1993-94. The students tested were deemed by their schools to be sufficiently proficient in English to complete the testing, but had enough academic problems to be referred for special education. The researchers used two frequently administered testing instruments, the Wechsler Intelligence Scale for Children-III (WISC-III) and the Wide Range Achievement Test-Revised (WRAT-R). The WISC-III, the most recent version of Wechsler's test of intelligence for children, gives three separate measures of IQ: verbal (VIQ), performance (PIQ), and full scale (FSIQ). The WRAT-R is also a screening test for academic achievement and assesses three areas: reading, spelling, and arithmetic.

The researchers showed that the use of the PIQ gave language learning students a score nine points higher on average than the VIQ, which resulted in many fewer students who qualified as being mentally retarded. However, it also greatly increased the number of students who were identified as learning disabled and having a “severe discrepancy” between achievement and ability. MacMillan et al. reported that teachers used additional information as well as the results of the standardized testing to determine whether the referred students were eligible for special education. Their results showed that these California public schools determined far fewer students were mentally retarded than the testing indicated and far more were learning disabled than were justified given the discrepancy between achievement and ability. The researchers concluded that the schools based their decisions on student need rather than numbers.

The validity of using IQ testing on minority students has also been called into question because of possible cultural bias. Therefore, Canivez and Watkins (1999) conducted a study on the most popular of these IQ standardized tests, the WISC-III. The researchers’ purpose was to determine the long term stability of the WISC-III for demographic groups including gender, ethnicity, and age. One hundred forty five school psychologists from 33 states sent in test scores and demographic information from recently re-evaluated special education students. Canivez and Watkins found that when most ethnic groups, *except Hispanics*, were re-tested their results did not differ statistically significantly from the first testing. However, for Hispanic students, researchers reported significant decreases in the VIQ (3.25%), FSIQ (2.65%), and verbal comprehension (VCI) (3.38%) scores. Hispanic students made up only 6.5% of the total students tested, a percentage that does not represent the number of Hispanics either in special education or in the population at large. Canivez and Watkins say further study needs to be done

with a larger sample of Hispanic students.

Cummins (1984) early on pointed out the dangers of using standardized testing because of a problem with poorly defined constructs for learning disabilities. “Because we don’t really know what constitutes a learning disability, all measures designed to identify learning disabilities have serious validity problems” (p. 85). Cummins further points out that if tests for monolingual children have validity problems, psychologists should be even more wary of using them for bilingual students.

Another form of standardized testing is now mandated by the No Child Left Behind Legislation. This federal law requires annual testing of academic and language learning progress. By the school year 2013-14 states must bring all students up to a proficiency level designated by the federal government. Reborra (2004) says should schools fail to make progress three years in a row they will be put on a government watch list. Continued failure would bring outside corrective measures that could change administration and faculty at the school. Traditionally, educators have tended to use a discrete point approach to testing language, a focus based on the behaviorist notion that language is simply a set of easily identifiable linguistic parts. Jitendra and Rehen-Diaz (1996) says this notion fails to take into account the functional, social, and cultural aspects of language. Instead, they suggest a dynamic or descriptive approach that requires a more pragmatic use of language in a variety of settings. This approach prescribes a team of bilingual professionals for assessment including speech language pathologists and psychologists.

A number of alternative approaches and models for assessment exist. Although tools which measure intelligence are required, schools can and should be using other techniques as

well. Alternative models prescribe the use of an approach in keeping with educating the “whole child,” sometimes through the use of a multi-disciplinary team, sometimes through the use of dynamic assessment, and even taking the example of the medical field. The first of these addresses the issue of weak constructs for learning disabilities. Fuchs, Fuchs, & Speece (2002) and their treatment validity approach takes its orientation from the medical field by requiring educators to document the need for and effectiveness of the “treatment,” i.e., special education. Noting the “soft” nature of disability constructs, Fuchs, et al. note the subjectiveness of the existing identification process. Instead, they propose a four phase system which tests the validity of “treatment” a student receives.

Phase I looks at the classroom environment and a student’s responsiveness to instruction. If the overall rate of growth in learning in a particular classroom does not compare favorably with other similar classes in the school or nation, then intervention should take place at the classroom level. Phase II seeks to identify students with a “dual discrepancy,” those who have both low achievement and low rate of growth. Phase III seeks to improve and enhance the instruction of classroom teachers to better accommodate these low level students. Educators must then document that interventions are not helping individual students and that progress can be made with special education. The final phase evaluates the effectiveness of special education; if no improvement is being made, Fuchs et al. say that there is no rationale for removing a child from the regular classroom.

On a daily basis in the classroom, the Fuchs’ et al. model seems arduous for the busy classroom teacher. The four phase system compels the assessment of every student in every classroom every week, an analysis of the progress of each, a plan to work out and implement

adaptations and interventions for those who have dual discrepancies, and finally, an evaluation of the effects of the interventions. “Clearly the treatment validity model requires much effort and vigilance, especially compared to diagnostic procedures that rely on identification of IQ-achievement discrepancies or simple low achievement” (p. 40). But the researchers say the results will be worth the effort involved because it should reduce the number of referrals of minority students to special education.

The most controversial part of the model, Phase IV, requires that special education prove its effectiveness. Fuchs et al. say this could mean that students have a limited “trial” period in special education, after which an educational team and the student’s parents meet to determine how much progress has been made. If none has been made, educators look for other options. These could include: (1) putting the child back into the classroom setting with accommodations, (2) continuing the “trial” for a set period, (3) continuing the “trial” period in a more restrictive educational setting with more resources, or (4) continuing the “trial” in another school. Fuchs et al. say their four phase model is a strong framework for assisting the needs of minority students and will help schools avoid over-representing these students.

Another possible model is by Langdon, Novak, and Sarellana (2000) who offer a “teaching-learning wheel” to assess second language learners. Using any kind of standardized testing by itself, they say, is inadequate for students who are learning English. Instead, evaluators need to consider a student’s home environment as well as his/her educational background. Langdon et al. say the student and family represent the wheel; the learning environment is the inner tube, and a student’s individual characteristics symbolize the tire. The spokes of the wheel are the authors’ three approaches to assessing an ELL student: observations and ethnographic

interviewing; formal analysis of oral and written language performance; and dynamic assessment.

Observations in the classroom should center on school climate, including whether there is respect for a student's cultural and linguistic background, teacher attitudes, curricular approaches, teaching processes, and use of language. Interviews with the family and significant people in the student's life should be conducted by a translator with bi-cultural skills who can act as a cultural "go-between" for the school and family. Questions about the use of communication at home, the student's educational background, family interactions and emotions, as well as health issues will provide a more complete picture of the student. Families are then also able to follow-up at home with teaching modifications made at school.

The second spoke of the wheel, developing an understanding of a students's oral skills, should be conducted in different contexts with different people in both formal and informal settings. Portfolios can chart a student's written progress over time and reflect a variety of work samples.

The third spoke, dynamic assessment, implies an understanding of what and how a student is capable of learning rather than what he/she already knows. Through dynamic assessment the student is asked to conduct a formal or informal task without assistance. A second task is then given with scaffolding and help. Dynamic assessment helps the educator know how the student acquires new information. Hence, teachers can adapt their teaching processes and curricular approaches to better suit their students. The "teaching-learning wheel" is not all-encompassing, but should be helpful to educators as a guide.

Salend and Salinas (2003) recommend the use of a multi-disciplinary team composed of

family and community members as well as educators, particularly bilingual ones, trained in assessing second language learners and migrant issues. Assessment procedures should be student-centered in addition to formal, standardized testing. The researchers recommend that a number of factors be considered including: length of time spent in the U.S., school history and attendance, culture, home life, health, and how the student compares to peers of similar education, experience, and language. These factors should be built into the assessment process.

Another important aspect schools should consider is educating students in their native language, Spanish. A long-term national study of school effectiveness for language learners by the National Association for Bilingual Education was conducted by Thomas and Collier (2002). They chose five school districts geographically distributed around the U.S. (from rural to mid-size and large urban, as well as inner city schools). The researchers tracked students for at least five years of academic study. The schools chosen were selected because of their commitment to a process of change to track and improve their education of second language learners.

Results showed that students immersed in mainstream English classes because their parents refused bilingual/ELL services fared worst. These students had the largest number of school drop-outs; those who stayed on scored only in the 12th percentile on national standardized testing (such as the Iowa Test of Basic Skills) in the 11th grade. Those students who received ELL services for two to three years attained the 23rd percentile by the end of high school. Those students who performed the best received 50-50 one way bilingual education, in which students are taught in both languages all the way through school. These students reached the 72nd percentile. Students receiving other types of bilingual education also fared better than those with ELL services only. Those receiving 50-50 transitional bilingual education, in which students are

educated in both Spanish and English for three to four years and then transitioned into mainstream English classes, achieved the 45th percentile by the end of 11th grade.

Thomas and Collier's research clearly shows that students have the best chance of achieving success when all their developmental needs are met: linguistic [education in both in students' first language (L1) and English (L2)], academic, cognitive, emotional, social, and physical. Thomas and Collier (2002) say

schools need to create a natural learning environment in school, with lots of natural, rich language (L1 and L2), both oral and written, used by students and teachers, meaningful "real world" problem-solving, all students working together, media-rich learning (video, computer, print), challenging thematic units that get and hold students' interest, and using students' bilingual-bicultural knowledge to bridge to new knowledge across the curriculum" (Thomas and Collier, 2002).

Other research supports Thomas and Collier's results. Slavin and Cheung (2004) reviewed 17 studies of elementary reading instruction programs. They found that bilingual education, or even simply allowing students to read in their native language as well as English at different times during the day, showed significant positive effects. In their review never did an English-only education program exceed the results of bilingual strategies. Bilingual programs, rather than hurting students, usually help them to read better in English.

How best to help young, struggling second language learners to become better readers was the subject of research by Linan-Thompson, Vaughn, Hickman-Davis and Kouzekanani (2003). They conducted an intensive reading intervention program in English for 13 weeks for second language learners and at-risk monolingual students with reading difficulties. The 26

second graders were taught 30 minutes a day individually or in small groups of two or three.

The intervention included fluent reading for five minutes, phonological awareness for five minutes, decoding reading, vocabulary, and reading comprehension skills for 10 minutes, and word study focusing on the alphabetic principle and word analysis strategies for five minutes.

The researchers tested students' oral reading fluency, phoneme segmentation fluency, nonsense word reading, and reading comprehension before and after the program as well as four weeks after and four months after the program. The largest gains from pre- to post-test were in word attack, reading comprehension, phoneme segmentation fluency, and oral reading fluency. Long-term results still showed significant gains in oral reading fluency. Two-thirds of the students made rapid progress through the program. Linan-Thompson et al. noted that their reading difficulties seemed to be a result of insufficient instruction in English rather than a reading disability. Another third of the students made smaller gains, showed inconsistent progress, and needed more practice. The researchers indicated that they too may have lacked a proper basis in language. Although the sample size is small and there was no comparison group, their conclusion supports Ortiz' call for teachers to be aware of the principles of second language learning.

Given that most benchmark measures cannot discriminate EL learners who lack sufficient and effective instruction from those who may have deficiencies in reading-related cognitive abilities, instructional interventions for EL learners identified as struggling readers need to be responsive to the source of students' reading difficulty (p. 233).

Inadequate or insufficient instruction in the classroom can lead not only to difficulties in

reading, but also potentially to referral for special education. Lina-Thompson et al. say the relatively small investment of teaching time with the elements included in their intervention may give support to ELL students lacking in literacy skills.

Schools face mounting pressure from federal legislation to bring up standards for all students, including second language learners. Schools as institutions and teachers as individuals who use research as a tool on which to base their decisions are more likely to achieve success for their second language learners. They are more likely to conduct both fairer assessments and more effective instruction of their students. Using an approach which encompasses the “whole child” educators are more likely to get the whole picture and be better able to address students’ needs. How schools do this depends on the individual nature and character of their communities and students, but the guidelines indicated here give scope for variation and adaptation.

Discussion

Clearly schools have a responsibility to improve education for their second language learners. In order to do this they may need to cooperate with local colleges and universities to help and encourage the training of competent new teachers. A research-based approach to assessment and educational practice should include a number of important elements. Bilingual educators who are also bi-culturally competent and mono-lingual educators trained and experienced in teaching second language learners are key to the process as they can interpret language and culture with understanding. Properly trained educators also have an understanding of the stages of language acquisition, the similarities and differences in language learning and learning disabilities, as well as differences in culture and educational expectations between themselves (if they are Anglo) and their Hispanic students. Educators should also be aware of

their students' home language and educational background.

Educators should take a “whole child” approach to assessment, understanding that their students are people with emotional, physical, and spiritual needs as well as intellectual ones. The difficulties with standardized measures of intelligence should convince school districts that their sole reliance on such tools is unethical. The IDEA's requirement that more than one form of assessment be utilized also makes it illegal. Second language learners need culture-free types of intelligence measuring instruments so that they are not penalized for differences in culture. The mis-use of testing instruments, including using tests that have not been norm-referenced for or with second language learners and using instruments for purposes other than intended, has been shown by researchers to be a serious problem. Hence, the correct use of standardized testing tools is imperative. Further, students should be tested for language in both their native language as well as English in all four skill areas.

In addition to standardized testing, an alternative assessment model may be used along with other student-centered assessment practices ranging from formal problem solving or synthesis and analysis of information to less formal student self-evaluation and classroom observation. Schools should also implement a strong pre-referral program including documentation of the different interventions that were tried in the classroom before referring students to special education. Problems should be documented in both languages, in both settings (at home and at school), and among different personnel. Educators need to comply with the exclusionary clause and rule out language, cultural, educational or economic factors that may be contributing to students' difficulties at school.

Educational practices must be oriented to second language learners' needs and culture.

Primarily, this means educating them as long as possible in a bilingual education program. If this is not possible, schools need to be sure that students have had the opportunity to learn from curriculum, materials, instruction, and a learning environment that is appropriate for Hispanic students. Educators should use cooperative and collaborative teaching techniques and make their lessons accessible to second language learners through strategies that *show* rather than *tell* what teachers mean. Both types of programs, bilingual and ESL, need clear exit criteria. Although Hispanic parents do not traditionally take an active role in their children's education in their own countries, schools should work to encourage parents' participation from early in a child's education.

At the national level, some sense needs to be brought to the funding system for special education to reduce the huge variation between states in both over- and under-representation of minority students in special education. Schools need to work with the federal government to push for change to bring equity to the system by disconnecting funding number of students identified by category of disability.

To sum up, professional educators need to be well aware of the specific cultural, linguistic, and cognitive characteristics of their students in order to provide them with an appropriate education. The question of how best to educate students with limited English skills should not be left solely to the germane of the teacher of English as a second language. The difficulties faced by second language learners have been addressed in the No Child Left Behind legislation and needs to become the challenge of all teachers of these students. How schools view these students and what schools do to engage them will only become more important as immigration trends continue (See Appendix D for a complete listing of how schools can help

their second language learners).

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Appendix A

*Over-Representation of English Language Learners (ELLs)
in Special Education by Grade: 1998-99*

Grade	Percent of ELLs of total population	Percent in Special Education	Under-Over-Representation Thresholds*	Over-Represented? (Yes or No)	Percent Above 10% Over-Representation Threshold
K	62	58	55.8-68.2	No	NA
1	62	56	55.8-68.2	No	NA
2	60	55	54-66	No	NA
3	54	49	48.6-59.4	No	NA
4	47	48	42.3-51.7	No	NA
5	32	43	28.8-35.2	No	NA
6	18	46	16.2-19.8	Yes	7.8
7	17	45	15.3-18.7	Yes	26.2
8	15	43	13.5-16.5	Yes	26.5
9	21	42	18.9-23.1	Yes	18.9
10	14	35	12.6-15.4	Yes	19.6
11	8	28	7.2-8.8	Yes	19.2
12	8	33	7.2-8.8	Yes	24.2

* Plus or minus 10% of the percentage expected on the basis of the general education population.

Artiles, Rueda, Salazar, and Higareda (2002)

Appendix B

Behaviors for Learning Disabilities and Language Learning

Language Learning	Reading	Writing	Math	Adapting to New School	Attention Deficit	Emotional and Social Skills
Speaks infrequently	Poor reading comprehension	Spelling is below grade level	Math skills below grade level	Passively uncooperative	Short attention span	Nervous and anxious, cries easily
Uses gestures	Poor reading progress	Poor recall of syllable sequencing	Uses fingers or counting aids	Defiant	Daydreams	Shy or timid
Speaks in single words or phrases	Reads below grade level	Poor visual memory	Difficulty remembering processes	Overly dependent	Easily distracted	Poor self-confidence
Does not answer questions or comments inappropriately	Loses place during reading: poor eye tracking	Difficulty expressing ideas in writing		Requires much teacher direction and feedback	Requires immediate gratification	Problems adapting to new situations
Poor recall	Poor recall	Words or letters may be reversed		Looks for continuous praise	Unable to stay on task	Fearful
Does not volunteer information	Poor progress in content areas	Poor grammar and syntax		Clings to adults	Disorganized	Easily influenced
Poor listening comprehension		Inconsistent and/or 'strange' spelling		Passively uncooperative	Appears confused	Needs attention
Poor syntax, grammar, vocabulary, and pronunciation				Defiant		Doesn't handle criticism well
Difficulty sequencing ideas and events, including the re-telling of stories				Requires continuous praise		Avoids competition
Confuses similar sounding words						Poor Peer Relationships
Delayed acquisition						Poor Eye Contact
Unable to rhyme words						Denies responsibility for actions
Difficulty following directions						Problems adapting to new situations

Appendix C

A “Whole Child” Approach of Factors for Educators to Consider During the Assessment Process

I. Social Aspects

- (a) Isolation because of inability to articulate ideas and thoughts in English
- (b) Family history
- (c) Student’s friends and care-givers
- (d) Language spoken at home
- (e) Difference between language use at home and school
- (f) Family attitudes toward English and new culture
- (g) Degree to which family interacts with dominant culture

II. Educational Aspect

- (a) Change in learning environment
- (b) Change in learning styles
- (c) Change in curriculum
- (d) Resistance to direct, individual instruction
- (e) Interference with academic growth in all subject areas
- (f) Pattern of strengths and weaknesses
- (g) Educational experience of student in native language and English
- (h) Opportunity to learn, both quantity and quality
- (i) School attendance pattern

III. Language

- (a) Similarity of native language to English
- (b) Distinction between communicative language skills and cognitive/academic language skills
- (c) Attempt to apply rules of native language to English which can affect pronunciation, syntax and spelling
- (d) Loss of native because of second language learning
- (e) Student’s preference for language use at home, school, community, and with peers
- (f) Language the family uses for watching TV, listening to the radio, and reading

IV. Testing

- (a) Problems indicated in both languages

V. Culture

- (a) Affirmation of student’s culture
- (b) Affirmation of student’s language
- (c) Bias toward or away from native culture
- (d) Conflict of values between cultures
- (e) Student’s acculturation level
- (f) Student’s attitude toward school

VI. Length of Time

- (a) Extrinsic problem will disappear in time

- (b) Intrinsic problem will not
- (c) Shorter length of time in U.S. indicates shorter time to adjust to change
- (d) Length of time receiving English language instruction

VII. Health

- (a) Emotional - traumas, stability, attachment issues
- (b) Physical health
- (c) Spiritual health
- (d) Visual
- (e) Hearing

VIII. Comparison to Peers of Similar Experiential, Cultural, Linguistic Background

- (a) Language skill
- (b) Rate of growth
- (c) Learning style
- (d) Interaction with peers in which language
- (e) Difficulties following directions, understanding, expression of thoughts in either language

Appendix D

What Schools Should Do

I. Personnel

- (1) Use at least one bilingual professional, including teachers, psychologists and trained translators
- (2) Hire classroom and ELL teachers who have been adequately prepared and experienced in teaching ELL students
- (3) Provide professional development for teachers

II. Testing and Alternative Assessments

- (1) No over-reliance on any single assessment tool
- (2) Use of non-verbal measures of intelligence, culture-free tests, or culture-fair testing
- (3) Careful and correct use of testing instruments
- (4) Assessment of students' proficiency in both their native language and English
- (5) Assessment of proficiency in all four skill areas of both languages: reading, writing, listening, speaking
- (6) A "whole child" approach to assessment including physical, intellectual, emotional, and spiritual aspects. This may include the use of:
 - (a) An alternative assessment model or multi-disciplinary team including professionals with experience and training in second language learning
 - (b) Student-centered assessment procedures: portfolio, performance-based assessments such as story-retelling, and dictation, problem-solving, synthesis or analysis of information, curriculum-based assessment (in dominant language), student journals, student-self evaluation, observation in classroom, with peers, with family
 - (c) Strong pre-referral system that includes at least one bilingual professional and documents the use of a variety of interventions in the general education classroom before referral for special education
 - (d) Documentation of the problem exists across settings (school and home) and personnel; that the problem exists in both languages

(7) Compliance with the IDEA exclusionary clause including procedures to rule out other possibilities for students' problems in the classroom, including classroom climate, curriculum, students' cultural and linguistic background, or socio-economic status

III. Educational Practice

(1) Educate students as much as possible in their native language

(2) Ensure that the curriculum, materials, and instruction have been both culturally relevant and appropriate; that the student has had the opportunity to learn, but hasn't been successful

(3) Ensure the learning atmosphere in the classroom is appropriate

(4) Use cooperative and collaborative teaching methods

(5) Make lessons comprehensible by using visuals, hands-on demonstrations, gestures, and total physical response activities

(6) Educators have knowledge of:

(a) students' home language, family, educational background, including type and length of instruction

(b) techniques and strategies to make language comprehensible for students

(c) stages of normal language acquisition

(d) differences between Hispanic cultural norms and expectations and their own

(e) similarities and differences between symptoms of a normal language learner and a learning disability

(7) Set exit criteria for bilingual and ESL programs

(8) Should a learning disability be correctly diagnosed, IEPs should address both learning and language issues

(9) Work to involve parents, family, and community members

IV. External Influences

(1) Urge the federal government to change the way special education is funded so that disability

category is not linked to funding

(2) Cooperate with local colleges and universities to improve training of new classroom teacher.

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